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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,865	01/14/2004	James Peter Branigan	AUS920030841US1	3390

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EXAMINER
CAO, DIEM K

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10/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 July 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-10,12-19 and 21-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3-10,12-19 and 21-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1,3-10,12-19 and 21-27 are pending. Applicant has amended claims 1, 3, 4, 6, 10,

12, 13, 15, 19, 21, 22 and 24 and canceled claims 2, 11 and 20.

Claim Rejections - 35 USC § 103

2.   . The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   **Claims 1, 4, 5, 6, 9-10, 13-15, 18-19, 22, 24 and 27 are rejected under 35 U.S.C.**

103(a) as being unpatentable over Cohen (U.S. 5,881,315) in view of Reed et al. (U.S.

6,345,288 B1).

As to claim 1, Cohen teaches a method for specifying a return of specific data in response

to a search query issued to a subscribe the publish communication interface (abstract), the

method comprising:

- generating (create) a subscription object (a particular "event filter group") containing a

  primary identifier (ID) (event type, an event type format ... identifier) of a published data

  (event); See col. 6, lines 33-38, lines 47-49

- including within the subscription object an expression indicating a specific context

  desired for satisfying the subscription object once the published data is identified on the

communication interface (an event filter group ... filter expressions ... consumer; col. 6, lines 59-67);

- wherein, once the subscription object is placed on the subscribe and publish communication interface (Once the event ... Event Log 42; col. 7, lines 12-15), a response to the subscription object is only provided following publication of the published data and a confirmation of the specific context (EMS 22 then performs ... interested consumers; col. 7, lines 15-56).

Cohen does not explicitly teach providing within the subscription object an address of a node associated with a subscribing component, which generated the subscription object, and registering the node within the communicating interface as requesting at least a notification of the published data, wherein the node receives a notification when only a notification is desired and the node receives the published data when the published data is requested, based on a type of registration requested by the subscription object.

However, Cohen teaches generate the subscription object for the consumer at a node (data group from which this request came; col. 5, lines 31-32 and create ... "event filter group"; col. 6, lines 33-38), and send the qualified event to the interested consumers (EMS 22 then performs ... interested consumers; col. 7, lines 15-25, remote process 26n; see Fig. 3 and associated text). Reed teaches teach providing within the subscription object an address of a node associated with a subscribing component, which generated the subscription object, and registering the node within the communicating interface as requesting at least a notification of the published data, wherein the node receives a notification when only a notification is desired and the node receives the published data when the published data is requested, based on a type of

registration requested by the subscription object (Elements are the primary attributes of a communication object ... email address; col. 18, lines 31-33, communication objects ... SystemID, Name; col. 22, lines 1-15, recipients may also be tracked in the provider database, to uniquely identify recipients .. System ID can be used; col. 22, lines 44-58, col.2 5, lines 26-57, and col. 61, lines 7- 61 and Notification; col. 63, lines 1-2, lines 16-20, col. 65, lines 34-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Reed to the system of Cohen because Reed teaches a communication control system which allows providers and subscribers to quickly and easily establish an automated communications relationship, which automatically updates both parties with changes in communications control data from the others (col. 7, line 59 – col. 8, line 3).

As to claim 4, Cohen as modified by Reed teaches expanding a registration of the node to include the expression (col. 5, lines 30-33).

As to claim 5, Cohen teaches the expression is one or a combination of a logical expression and a condition expression (An event filter ... event type; col. 6, lines 62-64).

As to claim 6, Cohen teaches wherein when the expression is a logical expression requiring a publication of two or more different data each having unique data type Ids (one or more filter expression which are logically ANDed together; col. 6, lines 62-63 and col. 7, lines 1-12), the method further comprises:

- retrieving an associated data type ID for each publication to the communication interface (retrieve ... filter; col. 7, lines 30-36);

- comparing the publication's data type ID against each unique data type ID within the logical expression (evaluating next filter; col. 7, line 40); and

- providing the response to the subscription object only when each of the data type Ids are matched against publication data type Ids (if all of the filer .. consumer; col. 7, lines 41-46).

As to claim 9, Cohen teaches

- providing a query expression within the subscription object containing an operand other than a wildcard for uniquely differentiating the query from a query for a generic response (an event filter group ... filter expressions ... consumer; col. 6, line 59 – col. 7, line 11);

- publishing the query to an information kit (the filter data ... Database 46; col. 6, line 41-43); and

- receiving a response containing a publication object satisfying the entire query (col. 7, lines 40-46).

As to the system claim 10, it is the same as the method claim 1 and is rejected under the same ground of rejection.

As to the computer product claim 19, it is the same as the method claim of claim 1 and is rejected under the same ground of rejection.

As to claims 13-15 and 18, see rejections of claims 4-6 and 9 above, respectively.

As to claims 22-24 and 27, see rejections of claims 4-6 and 9 above, respectively.

4.   **Claims 3, 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (U.S. 5,881,315) in view of Reed et al. (U.S. 6,345,288 B1) further in view of Arslan (Event Library: an object-oriented library for event-driven design).**

As to claim 3, Cohen teaches matching an ID of a newly published data to a primary ID of a desired published data (the filtering routine ... particular event ... Consumer Database; col. 7, lines 27-31). Cohen does not explicitly teach flagging a registration of the node to indicate additional criteria needs to be satisfied prior to issuing the notification or issuing the notification published data to the node; and when the registration has an associated flag, verifying that the additional criteria is satisfied before indicating a match. However, Arslan teaches conditional event subscription for subscribed objects only interested in events fulfilling certain criteria (page 10, second paragraph). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Arslan to the system of Cohen because Arslan teaches a powerful library the implement the most common event-driven techniques, and it can be extended to handle users' advanced needs.

As to claims 12 and 21, see rejection of claim 3 above.

5.   **Claims 7-8, 16-17 and 25-26 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Cohen (U.S. 5,881,315) in view of Reed et al. (U.S. 6,345,288 B1) further

in view of Feridun et al. (U.S. 6,336,139 B1).

As to claim 7, Cohen teaches receiving confirmation that all criteria within the expression

has been satisfied (A test is then ... namely TRUE; col. 7, line 41-44), and completing a

secondary function when the confirmation is received (the routine passes ... consumer; col. 7,

lines 44-46).

Cohen does not explicitly teach wherein the subscription component is an agent.

However, Feridun teaches the subscription component is an agent (each software agent can

register a correlation rule for a given event which cause the software agent to run when the event

is received; col. 8, lines 25-27).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to apply the teaching of Feridun to the system of Cohen because Feridun teaches

software components that may be statically or dynamically deployed into a distributed

computing environment and then executed within a given execution context to examine and

correlate one or more given event streams (col. 1, lines 59-67)

As to claim 8, Cohen teaches the subscribe and publish communication interface is an

information kit (Event Management Service; col. 6, lines 7-8) and the subscription object is an

information kit subscription object (event filter group; col. 6, lines 38-39).

As to claims 16-17, see rejections of claims 7-8 above.

As to claims 25-26, see rejections of claims 7-8 above.

Response to Arguments

6.   Applicant's arguments with respect to claims 1, 10 and 19 have been considered but are
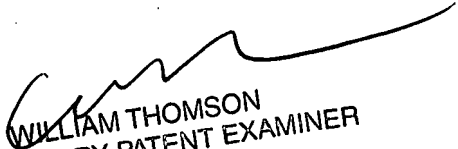
moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The

examiner can normally be reached on Monday - Friday, 8:30AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC·
September 23, 2007

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER